THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HONOURABLE SRI JUSTICE D. APPARAO

W.P. No. 14287 of 2006

Dated: 13.07.2006

Between:-

M/s. Ennars, D.No. 5-87-3, Main Road, Lakshmipuram, Guntur, represented by its Proprietrix Mrs. B. Rama Devi.

…Petitioner.

And

1. The Joint Commissioner (CT) Legal, A.P. Hyderabad,
2. The Commercial Tax Officer, Brodipeta Circle, Guntur,
3. Deputy Commercial Tax Officer-I, Brodipeta Circle, Guntur.

…Respondents.

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O R D E R (per Hon'ble Sri Justice J. Chelameswar)

The petitioner, the sole proprietrix of a firm, is carrying on business in textiles and is a registered dealer on the rolls of 2nd respondent under A.P. General Sales Tax Act.

The petitioner was assessed for the assessment year 1999-2000 by the 2nd respondent and by an order, dated 04.10.2002, it was found that the petitioner is liable to pay tax for a net turn over of Rs. 14,32,804/-. Aggrieved by the same, the petitioner carried the matter in appeal before the 2nd respondent unsuccessfully. The 2nd respondent dismissed the appeal by his order, dated 6.10.2004. The petitioner carried the matter in further appeal to A.P. Sales Tax Appellate Tribunal. Along with the appeal, the petitioner filed an application seeking stay of recovery of tax. The 1st respondent by his proceedings, dated 30.06.2006, rejected the said application. Hence the present writ petition.

It appears from the affidavit filed in support of the writ petition that the petitioner is suffering from kidney problem.

Heard the learned counsel for the petitioner and the learned Government Pleader for Commercial Taxes.

In the circumstances, we are of the opinion that this writ petition can be disposed of at the stage of admission directing the respondents

not to take any coercive steps for the recovery of tax pending the appeal before the A.P. Sales Tax Appellate Tribunal.

The writ petition is accordingly disposed of at the stage of admission.

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J.

CHELAMESWAR, J

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D. APPARAO, J

13th July, 2006
vp